

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
(Indianapolis Division)**

RED BARN MOTORS, INC., PLATINUM MOTORS, INC., and MATTINGLY AUTO SALES, INC., individually, and on behalf of other members of the general public similarly situated,	* * * * * * * * * * * * *	DOCKET NO. 1:14-cv-01589-TWP-DLP CLASS ACTION
v.		
NEXTGEAR CAPITAL, INC., F/K/A DEALER SERVICES CORPORATION,	* * * *	

**PLAINTIFFS' RENEWED
MOTION FOR COURT APPROVAL OF CLASS NOTICE**

Plaintiffs Red Barn Motors, Inc., Platinum Motors, Inc., and Mattingly Auto Sales, Inc.,
by counsel, respectfully move this Court for an order approving the Class Notice.

1. On March 3, 2020, the Court ordered Plaintiffs to file a Proposed Class Notice.
(Dkt. 317).

2. Pursuant to the Court's Order (R. Doc. 315 at 34), counsel for the parties have
worked together on the attached form of Class Notice, submitted as Exhibit A to this Motion.

3. However, the parties are unable to file a joint motion because NextGear contends
that the Order approving this motion should require Class Counsel to mail the Class Notices to
all Class Members within ten (10) days of the Court's approval of the form of Class Notice as
well as require Class Members to opt-out within sixty (60) days after mailing. Plaintiffs do not
agree that these proposed procedures need to be addressed in this Motion; rather, they reserve the
right to separately file a motion for approval of a class administrator and class notice procedures.

4. Defendant reserves its objections to class certification generally and all its defenses on the merits.

WHEREFORE, Plaintiffs Red Barn Motors, Inc., Platinum Motors, Inc., and Mattingly Auto Sales, Inc., by counsel, respectfully request that the Court approve the attached Class Notice for Distribution to the Class.

Respectfully submitted, this 17th of March, 2020.

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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of March, 2020, a copy of the foregoing was filed electronically. Notice of the filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

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